

PATENT APPLICATION Attorney Docket No. <u>72847</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mary A. Lamp et al.

Serial No.: 10/042,983

Filed: January 8, 2002

Title: SOFT, FULLY BAKED

BREADSTICKS

Group Art Unit: 1761

Examiner: Lien T. Tran

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.G. 20231, on this date.

1/13/03

Date Richard A. Kaba

Registration No. 30,562 Attorney for Applicant(s)

AMENDMENT

Hon. Commissioner of Patents

and Trademarks

ATTENTION: Assistant Commissioner

for Patents

Washington, D.C. 20231

Dear Sir:

The amendments and arguments presented herein are in response to the Examiner's non-final office action having a mailing date of August 15, 2002, for the above-identified application.

REMARKS

Claims 1-15 are pending. Applicants respectively request reconsideration of claims 1-15 based on this Amendment.

1. Rejection under 35 U.S.C. §112

Claims 9-15 were rejected by the Examiner under 35 U.S.C. §112, first paragraph. According to the Examiner, "the specification, while being enabling for a product having a shelf life of about 3 months, does not reasonably provide enablement for a product having [a] shelf life longer than 3 months." The Examiner adds that "Claim 9 recites that the product has a shelf life at refrigerated

RECEIVED

TECHNOLOGY CENTER 1700